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COMMITTEE ON THE RIGHTS OF THE CHILD

Twentieth session

SUMMARY RECORD OF THE 511st MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 14 January 1999, at 10 a.m.

Chairperson: Miss MASON

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Belize [(CRC/C/3/Add.46); list of issues (CRC/C/Q/BELI/1); written replies of the Government of Belize to the questions raised in the list of issues]

1. At the invitation of the Chairperson, Mrs. Baldenamos Garcia, Mr. Dakers, Mrs. Shoman, Mr. Martinez and Mr. Tamer (Belize) took places at the Committee table.

2. The CHAIRPERSON welcomed the Belizean delegation and invited it to present the initial report of Belize (CRC/C/3/Add.46).

3. Mrs. BALDERAMOS GARCIA (Belize) said that Belize was in the first group of countries that had signed and ratified the Convention on the Rights of the Child in 1991. Between 1991 and 1998 Belize's level of compliance with the articles of the Convention could be described as fairly successful. The main areas of success included a relatively high percentage of child immunization, provision of potable water in urban and rural settings, high accessibility to primary education for children of school age and the enactment of a comprehensive Families and Children Act with provisions dealing with the rights of the child, legal capacity, guardianship and custody of children, children in care, maintenance of children and paternity. The Belizean authorities were nonetheless mindful of the commitments they had been unable to fulfil fully or in part, namely, the relatively high primary school drop-out rate; the inadequacy of sanitary facilities in rural areas; the high incidence of HIV/AIDS cases; the need for the appointment of a children's Ombudsperson; the relatively high incidence of malnutrition among children up to the age of five; and the need for the establishment of a centralized database for the collection and analysis of data relating to specific children's issues.

4. Although Belize's level of compliance with the Convention was encouraging when compared to most of its Central American and even some of its Caribbean neighbours, the Government did not intend to be complacent and the Ministry of Human Resources had been given a mandate to protect the rights, well-being and best interests of all children in Belize. It was the Ministry's intention to comply fully with all commitments under the Convention by the year 2000.

5. Mr. FULCI welcomed the frank approach reflected in the report concerning the extent of Belize's compliance with its obligations as a State party to the Convention. The first question he wished to ask concerned the fact that Belize had not ratified two major human rights instruments, namely, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. Did Belize intend to make good that omission? He also wished to know more about collaboration between Belize and other Caribbean countries. In conclusion, he stressed the importance of creating a central database, which was a prerequisite for any practical and effective action to ensure greater respect for children's rights.

6. Mrs. PALME congratulated the Belizean authorities on their evident commitment to implementing the Convention and strongly urged them to set up a central monitoring mechanism. It would seem that in Belize there were marked differences between various population groups, notably with regard to the mortality rate. Moreover, she pointed out that, in ratifying the Convention, the State party had undertaken to incorporate its provisions fully into its legislative system rather than select particular provisions in the light of the country's circumstances, as the last sentence of the reply to question 2 seemed to imply.

7. Mrs. MOKHUANE also urged Belize to ratify the two human rights instruments mentioned by Mr. Fulci. While Belize had in a short while made enormous progress in implementing the provisions of the Convention, she requested an explanation of the obstacles the country had encountered prior to 1996 in implementing the National Plan of Action for Children adopted in 1994. Could the Belizean delegation be more explicit on the subject? She also asked who was responsible for teacher training in Belize.

8. Mrs. SARDENBERG noted that the high level of the delegation sent by the Belizean Government was proof of the importance it attached to the rights of the child. She too stressed how important it was for Belize to accede to the two aforementioned human rights instruments, since the rights of the child fell within the broad framework of human rights, all of which were interdependent. Given the brevity of the reply to question 3, she wished to know whether the Belizean Government intended to ratify those two instruments.

9. Paying tribute to the quality of Belize's initial report, she asked whether segments of society had been involved in its preparation and whether preparatory meetings or seminars had been held for the purpose. She was pleased to see that the Belizean delegation was headed by a woman and asked what proportion of women held posts in government bodies. Also, had a global children's strategy been defined under the Department of Human Development? Moreover, exactly how was the timetable for the reforms mentioned in the introduction to the report implemented?

10. Mrs. KARP asked what budget and staff were available to the National Committee for Families and Children, how it was organized, to what extent NGOs were represented on it and how it functioned at the local level. Moreover, she requested the Belizean delegation to explain why no thought had been given to establishing ombudsman posts and, in the absence of independent child protection bodies, how complaints lodged by children were dealt with. She also wished to know what specific measures the authorities had envisaged to give effect to the Convention, whether priorities had been set and resources allocated. What did the National Development Plan amount to in budgetary terms, and what exactly did it entail? She would also like to know what time-frame was envisaged for translating the Convention into the country's minority languages.

11. Mr. RABAH asked whether Belize had expressed reservations about the Convention, and if so, for what reasons. Had steps been taken to bring national legislation into line with the provisions of the Convention, and how was the text of the Convention disseminated? Lastly, what activities had been

undertaken by the National Consultative Committee for Children and by the National Council for Families and Children to promote children's participation as mentioned in paragraph 7 of the Government's written replies.

12. Mr. KOLOSOV said that Belize's initial report clearly showed that Belizean society took care of its children but that perhaps more needed to be done before children were perceived as full citizens. For instance, were children's rights to privacy really being respected when they were not authorized to consult a doctor alone before the age of 18? Furthermore, since the Constitution dealt essentially with the rights of persons over 18, Belize might envisage adopting a code that would specifically guarantee children's rights.

13. Mrs. MBOI also welcomed the Belizean authorities' efforts to give effect to the Convention, as by the holding of workshops to make the public aware of its objectives. In that connection, she would like to know which questions had most frequently been raised during the consultations conducted to that end, and what had been the reactions - both positive and negative - of citizens. Since the drafting of the Families and Children Act had apparently involved preparatory consultations, she would like to know whether certain principles embodied in the Convention had been taken into account with a view to their inclusion in the Act.

14. Mrs. OUEDRAOGO asked what was the attitude of Belizean parents to the rights of the child set forth in the Convention, why the National Plan of Action for Children had not been implemented and whether application of the Convention was impeded by budgetary problems.

15. The CHAIRPERSON wished to know what approach had been adopted by the new Government to the rights of the child.

16. Mrs. BALDERAMOS GARCIA (Belize) said that the Belizean Government was perfectly aware that it would be difficult to implement the Convention fully owing to the very limited budgetary resources at its disposal. It would, however, do everything possible to promote the cause of children's rights. For one thing, it would have to introduce HIV/AIDS preventive measures. The infection rate among the Belizean population was one of the highest in Central America. In response to Mrs. Sardenberg, she said that few women went into politics in Belize and that she was the only female minister.

17. Mrs. SHOMAN (Belize) said that Mrs. Balderamos Garcia and she personally had long been militating on behalf of women and children, and had no doubt that the new Government would take very specific measures in that area. The Government was also perfectly aware that it needed to make a speedy examination of the question of Belize's accession to the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.

18. Mr. DAKERS (Belize) said that, in preparing the initial report, the Government had realized that the statistical data available on children were quite inadequate. For that reason it had set up a social indicators committee

to gather, in close collaboration with UNICEF, data in various fields, notably health, education and violence within the family, and to publish it in an updated compendium on a regular basis.

19. He recognized that the National Plan of Action for Children, which had originally been drawn up in 1992, had not really been implemented in practice; in 1996, it had been incorporated into the National Plan of Action for Human Development for Belize. That did not mean that nothing had been done for children in recent years. For example, a family services division had been created within the Ministry of Human Resources, and, the National Plan of Action for Human Development contained various programmes on health, education and protection of children's rights.

20. Mrs. SHOMAN (Belize), responding to a concern expressed by Mrs. Palme, said that the "modifications" mentioned on page 7 of the written replies referred to Belize's legal framework, and that the Government had no intention of adopting particular provisions of the Convention and rejecting others.

21. Mr. DAKERS (Belize) said that the new Government had appointed a member of civil society to head the National Council for Families and Children, which had hitherto been chaired by a representative of the Ministry of Human Resources. That Council comprised representatives of the Government, NGOs, specialized agencies, churches and a number of professions. Its secretariat consisted of an executive secretary and two or three assistants. Until recently it had been financed almost entirely by UNICEF. As UNICEF was gradually reducing its contribution, the Government had undertaken to allocate to the Council the funds it needed to do its work.

22. Mrs. BALDERAMOS GARCIA (Belize) said that it was in a spirit of openness that the Government had entrusted the chairmanship of the National Council for Families and Children to a noted individual of civil society who was extremely competent and very familiar with social problems and reported directly to the Government on the Council's activities. At its first meeting, the Council had been informed that registrars were refusing to record a birth if the mother was unable to produce a receipt showing that she had settled the hospital costs relating to her confinement. That clearly constituted discrimination against poorer women, and measures had immediately been taken by the Council of Ministers to remedy the situation. There were also plans to extend the deadline by which a child's parents or legal representatives must declare the birth and to send registrars to remote areas to obviate the need for disadvantaged persons to make costly journeys.

23. Mrs. SHOMAN (Belize) explained that such measures were called for because without a birth certificate, a child could not be registered in school, obtain a passport or apply for a scholarship. Moreover, the Government had adopted a system of microcredits to enable mothers, especially those bringing up their children alone, to embark on lucrative activities so that they could meet their children's needs.

24. Mr. DAKERS (Belize) said that the National Council for Families and Children was responsible for familiarizing primary and secondary schoolchildren and society as a whole with the Convention. To that end, the Council had prepared child-oriented teaching materials which took account of

the population's ethnic and cultural diversity. In addition, during the consultations held in connection with the Convention, many parents had expressed the fear of having their parental rights restricted, especially with regard to corporal punishment.

25. Mrs. SHOMAN (Belize) said that, in cases of violence against children, the children themselves could now seek redress before the children's courts, either directly or through NGOs, and especially the National Organization for the Prevention of Child Abuse (NOPCA). The new Government would also see to it that approval was given for funds needed for implementing the law establishing an ombudsperson, which had been adopted under the previous administration. The ombudsperson's main function would be to protect children's rights.

26. Mr. DAKERS (Belize) said that the National Council for Families and Children comprised representatives of the Government and NGOs. Each of the country's six districts also had a local family and the child office, although at present there was no formal coordination between the National Committee and the local offices. The Committee therefore planned to create a mechanism enabling an elected representative of each office to keep the National Council regularly informed of local developments and provide it with various indicators and statistics.

27. As regards the need for parent education, he mentioned the existence of a programme which was intended to make parents and communities aware of their responsibilities and which received technical and financial assistance from UNICEF. The first stage of the programme had already been implemented in two districts and consisted in making various community leaders aware of the rights of the child so that they in turn could arouse the awareness of the population. Since those leaders were for the most part volunteers, the main problem was to interest them in training. Among other initiatives, the National Human Development Plan, although not aimed specifically at children, covered certain matters that concerned them. There was also a regional initiative, namely, the Lima Accord, which had resulted in a regional plan of action that had in turn given rise to a national plan of action implemented with UNICEF assistance, which he himself had helped devise. That plan of action covered all matters relating to children - education, health, legislation, etc. - and the preparation of the Lima Conference had made it possible to collect all recent data currently available to Belize.

28. Mrs. SHOMAN (Belize) said that the Government had not expressed any reservation to the Convention and that it was firmly determined to bring national legislation into line with both its letter and spirit, although the task of legal reform would be all the more arduous since that aspect had been neglected for very many years. The legislation currently in force would certainly have to be brought up to date, but the law adopted in 1997 on families and children was a promising start. Also, part of the reform would entail using the legislation of other Caribbean countries as a basis for bringing Belizean laws into line with those of neighbouring countries.

29. Mr. DAKERS (Belize) said that children were able to participate in a wide range of activities. Recently, and for the first time in Belize's history, children had been able to express their views at a consultation as to

which of the rights embodied in the Convention on the Rights of the Child deserved priority. That initiative had been taken with assistance from UNICEF and various governmental and non-governmental organizations. Furthermore, children in most schools, and especially secondary schools, had a say in decisions affecting them.

30. Mrs. SHOMAN (Belize) said that the hardest part of implementing the provisions of the Convention was to change attitudes. For example, although many women occupied positions of responsibility in all sectors, men continued to think that they should "stay at home" and did not do their fair share of domestic chores or in looking after children. Another area in which it would be difficult to change people's mentalities was that of family violence. In that connection, the new Government had undertaken to create within the Police Department a unit specifically responsible for preventing family violence. That unit would not only have to be created but also staffed with persons who were not only professional but also attuned to the problems of women.

31. Mr. DAKERS (Belize) further stated that the drafting of the report had been a good experience in that it had made the Government realize that the task should not be performed by one person; it called, rather, for a collective approach since it constituted an exercise with which society and the NGOs should be associated.

32. Mrs. BALDERAMOS GARCIA (Belize), replying to the Chairperson, said that the new approach consisted not only in helping the disadvantaged, but also in giving them responsibility and helping them to help themselves. It was also necessary to work not only on behalf of children but of all young people. The school drop-out rate, in particular, was alarming, with some 40 per cent of children failing to complete their primary education. The new Minister of Education, who was only 24, was all too aware of the need to provide training for young people - not only academic but vocational and civic as well.

33. Mrs. SARDENBERG was pleased to note that the new Government was determined to meet the challenges it faced, but wished to know more about the specific measures envisaged. For instance, how did Belize intend to cope with budgetary constraints and staff cuts and how did it plan to strengthen international cooperation? She also welcomed the Government's intention to ratify the International Convention on the Elimination of All Forms of Racial Discrimination and urged it to ratify the Convention on the Elimination of All Forms of Discrimination against Women as well. On the subject of legal reform, she would like to know the main areas in which old laws had been amended to bring them into line with the Convention and how it was planned to enforce the new laws. She would also like to know the results of the opinion poll conducted among children about their rights. Moreover, she wondered whether the text of the Convention had been translated into minority languages - including indigenous languages - other than Spanish. In conclusion, she asked whether the very positive decentralization process undertaken with regard to birth registration had also been embarked upon in other areas.

34. Mrs. MBOI sought clarification of the steps taken to bring domestic laws, and especially the Families and Children Act, into line with the provisions of the Convention. She wondered whether Belize's domestic laws

that set the legal minimum age of marriage at 14 were really in the best interests of the child, and asked what proportion of children married at 14. Moreover, the legal minimum age of criminal responsibility, which was apparently seven, seemed to be extremely low and she would like to know whether the Government had any plans to raise it.

35. She welcomed the idea of organizing a national consultation on family violence in the State party. In that connection, she hoped that the authorities would take due account of the effect of such violence on children, especially later on in their adult lives. She also asked whether, during the consultation, account would be taken of the contribution of health services, which were often the first or even the only ones to be informed of the existence of such violence. She also hoped that both sexes, adults and children, would be polled on an equal footing during the consultation. Lastly, she expressed the hope that any measures taken in the wake of that consultation would deal with treatment and assistance not only for victims of violence but also for the offenders, who should also be able to benefit from protection measures and treatment in order to prevent recidivism.

36. Mrs. PALME strongly urged the Belizean authorities to ensure equality between the sexes in all areas of society. To be sure, progress in that area was necessarily slow, but changes were being made in many countries and Belize should not be the exception.

37. Mrs. OUEDRAOGO also wished to know the results of the opinion poll conducted among children concerning their rights as set forth in the Convention, how the priorities thus established were taken into account and how the preferences expressed by the children were reflected in programmes relating to them. She noted that, according to the report, there were no official channels of communication between the Government and the NGOs and wondered how cooperation with those organizations, which had an important role to play, was achieved. Lastly, she asked whether steps would be taken to disseminate the initial report of Belize and the Committee's concluding observations to all segments of the population, including immigrants and refugees, so that their concerns could be taken into consideration in all measures taken to implement the Convention.

38. Mrs. KARP wondered whether it would not be possible for a representative of the department in the Ministry of Finance responsible for preparing the national budget to sit on the National Council for Families and Children since that would imply a more positive financial commitment by the Government to the protection of children's rights. She too felt that children should be encouraged to participate more actively in the life of society as a whole and that in that connection they should be encouraged to learn from each other about the rights to which they were entitled under the Convention, through the system of peer education, which could be extremely effective.

39. Mr. FULCI said he was deeply concerned by the laws in force in Belize under which a child could not be registered if medical expenses were not paid by parents after a birth. Any State party had the duty to ensure that all children were registered immediately after birth to avert any risk of their being deprived of legal existence. The delegation could perhaps clarify the situation.

40. Mr. KOLOSOV said that, since Belize was a small State in terms of area and population, regional or bilateral cooperation with neighbouring States was certainly important. Belize's initial report made no mention of specific regional agreements to which Belize might be party; he would like more information on the subject, and particularly about the possible existence of agreements that would, for instance, avoid Belizean children being officially registered in third countries.

41. The CHAIRPERSON asked the delegation to specify the areas of the Families and Children Act that the Government intended to amend.

42. Mrs. SHUMAN (Belize) said that the new Families and Children Act was by no means complete or perfect and that there was a great deal still to be done to define and incorporate into a single text all the rights, responsibilities, obligations and duties concerning children and the persons responsible for them. Nevertheless, the new text dealt with as broad as possible a range of questions concerning children and the family (rights of the child, legal capacity, guardianship and maintenance of children, children in care, adoption, etc.) and some of the old laws had been abrogated to be replaced by a single text governing all the rights of the child. Moreover, a new law on domestic violence and another on sexual abuse were being drafted, which meant that many amendments would have to be made to existing legislation, particularly in the area of education and health, in order to bring domestic laws fully into line with the provisions of the Convention. That process had started as long ago as 1992 and was continuing, with legislators making every effort to draft texts that were as complete as possible and adapted to the evolution of society as a whole.

43. The innovations contained in the new law included the provision that non-Belizean nationals henceforth had the right to adopt Belizean children and that the adoption procedure was to be closely monitored by social workers who reported to the competent authorities, independently of lawyers or any ad litem guardians. Hence, everything was being done to ensure the welfare of Belizean children adopted abroad and, in that connection, Belize scrupulously respected the obligations it had contracted when it ratified the Hague Convention on the Civil Aspects of International Children Abduction. The new law stated that children had every right to live with their parents if circumstances so permitted. Moreover, access to family courts was facilitated and less formal, so that children should suffer less from the proceedings instituted by their parents which could affect them personally. The other new aspect of the law was the fact that DNA testing was now possible if the need to establish paternity arose.

44. She confirmed that failure to declare a child at birth was an offence punishable by a fine. However, parents initially had the right to 42 days' grace for declaring their child's birth and if, for personal reasons, they were unable to do so after that deadline, they were given an extra year. Also, under the new law, the procedure for issuing placement and supervision orders was speedier since the courts, at the request of the social workers or health care officials, could take rapid decisions concerning children in difficulty. In that connection, attitudes had changed considerably and children's homes were now a great deal more attractive than before and better adapted to the needs of the young persons entrusted to them.

45. Those were some of the main points that served as a basis for the new Families and Children Act, which aimed at providing maximum protection for children's rights and interests in all situations affecting them and bearing in mind specific needs connected with childhood in general.

46. Mrs. BALDERAMOS GARCIA (Belize) said that subsidiary texts would be added to the new legislation, providing in particular for the obligation to report cases of abuse and negligence of which children might be victims, and for the recruitment of social workers and health care officials by the Ministry of Human Resources. Moreover, Mrs. Karp's suggestion that a Ministry of Finance official should be appointed to the National Council for Families and Children seemed entirely justified, as were Mrs. Sardenberg's and Mrs. Mboi's suggestions urging a multisectoral approach to the problem of curbing family violence.

47. Regarding the translation of the text of the Convention into all languages spoken in the country, she said that although various indigenous languages were used in Belize, they were spoken mainly in the home and that, as a general rule, the vernacular was English or Spanish; the text of the Convention was available in both those languages to all segments of the population. Lastly, while Belize's economic indicators, especially its per capita gross national product, were such that the country did not qualify for international aid, poverty persisted and the world community's support was still greatly needed.

48. Mr. DAKERS (Belize) said that the opinion poll conducted among children concerning the rights conferred on them by the Convention had shown that, for the majority of Belize's children, the top priority was the right to education. The other priority areas varied considerably according to region. In the capital, for example, the main priority was the right to protection from sexual exploitation and abuse, which was largely explained by the situation in urban areas. In other regions, the priorities were the right to health, to freedom of expression and to a healthy environment.

49. He also indicated that, between 1980 and 1998 expenditure on basic social services, namely, education and health, had increased by 180 per cent for the country as a whole and that, between 1996 and 1998, 20.3 per cent of the national budget had been allocated to those services, despite the serious economic difficulties faced by the country. Lastly, on the subject of official links with NGOs, he said that the Ministry of Human Resources had recently appointed an official to establish contact with those organizations and that the forms of official collaboration could be worked out in the near future. Moreover, as Belize was in the centre of the Central American and Caribbean area, it had signed many regional agreements and took an active interest in all matters affecting the region, including the status of women and children.

50. The CHAIRPERSON thanked the Belizean delegation for its replies to the first part of the list of issues.

The meeting rose at 1.05 p.m.